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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 2307 OF 2007

IN

FIRST APPEAL (ST) NO. 305 OF 2006

Ajitsing Harnamsingh ...Applicant.

Vs.

Dr. Rahim Abdul Hafeez & Ors. ...Respondents.

Mr.Ajitsingh Harnamsingh, applicant present, in person.

CORAM : ANOOP V. MOHTA,J.

DATED : 18th September, 2007

P.C.

1. On 18/04/2006 while admitting the first appeal, this Court has directed the appellant to file the private paper book within six months. The appellant is unable to file the same, therefore, the matter was dismissed for want of prosecution. None appeared for the respondent at that time.

2. On 21/08/2007, the statement was made that the appellant, who is appearing in person had filed paper book two months before. The appellant has filed affidavit of service. None appeared for the respondents. Considering the facts and circumstances

of the case, I am of the view that applicant has made out the sufficient cause to restore the matter. The application, is therefore, allowed in terms of prayer clauses (a), (b) and (c). The applicant is permitted to file private paper book within two weeks, if not filed already.

3. Put the matter for final hearing (H.O.B.) on 9th October, 2007. As requested by the applicant who is in person, Mr. Nitin P. Deshpande, Advocate is appointed as amicus-curiae, who is also appearing in all other four matters, on behalf of the applicant. Office to send, notice accordingly.

4. Application is disposed of, accordingly.

[ANOOP V.MOHTA,J.)